

**WORTHINGTON CITY COUNCIL  
REGULAR MEETING, FEBRUARY 22, 2010**

The meeting was called to order at 7:04 p.m. in City Hall Council Chambers by Mayor Alan E. Oberloh with the following Aldermen present: Lyle Ten Haken, Mike Kuhle, Scott Nelson, Mike Woll. Honorary Council Member: Lon Lien.

Staff present: Craig Clark, City Administrator; Brad Chapulis, Community Development, Dwayne Haffield, Engineering, Mindy Eggers, Assistant City Clerk.

Others present: Laura Grevis, Daily Globe, Bob Petrich, and Diane Graber.

**HONORARY COUNCIL MEMBER**

Mayor Oberloh introduced Lon Lien as the Honorary Council Person for the months of February, March, April, and May.

**AGENDA APPROVED**

Mayor Oberloh noted that the Municipal Liquor Store will be closed on Friday, February 26, 2010 from 10:00 a.m. to 12:30 p.m. so the employees may attend the funeral of the former manager. The motion was made by Alderman Kuhle seconded by Alderman Woll and unanimously carried to approve the agenda.

**CONSENT AGENDA APPROVED**

The motion was made by Alderman Ten Haken, seconded by Alderman Woll and unanimously carried to approve the consent agenda as follows:

- City Council Minutes - Regular Meeting January 8, 2010.
- Minutes of Boards and Commissions - Water and Light Commission Minutes of February 16, 2010.
- Bills payable and totaling \$570,521.52 be ordered paid.

**ORDINANCE NO. 1032 ADOPTED AMENDING TITLE XI, CHAPTER 111 OF THE  
WORTHINGTON CITY CODE - TEMPORARY ON-SALE INTOXICATING LIQUOR  
LICENSE**

Pursuant to published notice, this was the time set for the third reading of a proposed ordinance amending Title XI, Chapter 111 of the Worthington City Code - Liquor Regulations as follows:

Section I.

Worthington City Code, Title XI, Chapter 111, is hereby amended so  
as to create Subchapter 111.35 which shall read as follows:

The City, upon application thereof, may issue Temporary On-Sale Intoxicating Liquor licenses, with the approval of the Commissioner of Public Safety in accordance with the full range of options and upon the same terms as authorized by Minn. Stat. 340A.404 Subd. 10. The application for such a license shall be made upon a form provided by the City which shall information similar to that required by City Code Section 111.32 (A). A temporary license issued pursuant to this section shall expire according to its terms. A temporary licensee shall be subject to all state and local liquor laws. The fee for a temporary license shall be established by Resolution of the City Council from time to time.

Section II.

The ordinance shall be in full force and effect from and after its passage and publication.

The motion was made by Alderman Woll, seconded by Alderman Nelson and unanimously carried to give a third reading to, and subsequently adopt the following Ordinance:

ORDINANCE NO. 1029

AN ORDINANCE TO AMEND TITLE XI, CHAPTER 111 OF THE WORTHINGTON CITY CODE - LIQUOR REGULATIONS

(Refer to Ordinance File for complete copy of Ordinance)

**RESOLUTION NO. 3419 ADOPTED APPROVING ESTABLISHING LICENSE FEES AND REPEALING RESOLUTION NO. 1918, RESOLUTION NO. 2337, AND RESOLUTION NO. 2927**

The motion was made by Alderman Woll, seconded by Alderman Ten Haken and unanimously carried to adopt the following resolution to establish a Temporary On-Sale Intoxicating Liquor License Fee in the amount of \$150 / day for up to the four day limit allowed by the State of Minnesota, and repealing the prior Resolution No.1918, Resolution No. 2337, and Resolution 2927:

RESOLUTION NO. 3419

ESTABLISHING LICENSE FEES AND REPEALING RESOLUTION NO. 1918, RESOLUTION NO. 2337, AND RESOLUTION NO. 2927

(Refer to Resolution File for complete copy of Resolution)

**APPROVED 2010 INDUSTRIAL WASTEWATER FACILITY FUND BUDGET**

The 2010 Industrial Wastewater Facility Fund Budget, Equipment Revolving Schedule, and Capital Improvement Program was presented for council review and approved. JBS Swift had thirty days in which to respond to the proposed budget and no comments have been received affecting the proposed budget.

A motion was made by Alderman Woll, seconded by Alderman Ten Haken and unanimously carried to approve the 2010 Industrial Wastewater Facility Fund Budget.

**RESOLUTION NO. 3420 ADOPTED REGARDING THE GOVERNOR'S SUPPLEMENTAL BUDGET CUTS TO LGA PAYMENT**

The motion was made by Alderman Woll, seconded by Alderman Nelson and unanimously carried to adopt the following resolution opposing the Governor's supplemental budget cuts in the amount of \$474,474.00 to Worthington's LGA payment:

RESOLUTION NO. 3420

CITY OF WORTHINGTON RESOLUTION REGARDING THE GOVERNOR'S SUPPLEMENTAL BUDGET CUTS TO LGA PAYMENT

(Refer to Resolution File for complete copy of Resolution)

**APPROVAL OF RFP FOR PRIVATE ASSESSING SERVICE**

Craig Clark, City Administrator stated that during budget discussions the Council had expressed interest in seeking private proposals for assessing services for the City. Mr. Clark was requesting Council review and approval of a proposed request for proposed (RFP) for the assessing services. The deadline for proposals would be April 5<sup>th</sup> and selected finalists will be asked to present information and field questions at the April 12<sup>th</sup> Council meeting. Clark explained that a private assessing route will limit some accessibility of customers but with proper accommodation a timely response can be made. Clark stated that taking action tonight does not assume selection of the private assessing route but provides the City with information on which to base a decision between the current arrangement with the County and a possible private assessment route.

The motion was made by Alderman Ten Haken, seconded by Alderman Woll and unanimously carried to approve the RFP for private assessing services.

**AWARDED CONTRACT FOR MEMORIAL AUDITORIUM PROJECT**

Staff noted that the City received ten responsive bids for the Memorial Auditorium Project. Seven of the bids were below the construction estimate of \$1.7 million. The low bid from Joseph Companies reflects the base bid and all alternates and is approximately \$63,000 under the estimated construction cost. There is no combination of costs that would change who the low bidder is. The building committee was polled and is recommending that Council award the base bid and the alternates. The recommendation from SEH is Joseph Companies as the low qualified bidder and staff concurs with their recommendation to award the bid with all alternates as recommended by the committee. The total of the alternates excluding the additional parking lot is \$13,900. The parking lot reconstruction is inevitable and will be more apparent of the need following the construction.

Council and staff discussed if having the parking lot reconstruction done by a different company at a different time would save the City some money. Staff recommends moving forward with the Joseph Companies so that the whole project could be completed by the completion date as pricing through another company would most likely not be much different and there would be coordinating issues to get the project completed in a timely manner.

A motion was made by Alderman Kuhle, seconded by Alderman Woll and unanimously carried to award the Memorial Auditorium Project Contract with all alternates to Joseph Companies of Austin, MN as the low qualified bidder in the amount of \$1,636,900.00.

**RESOLUTION NO. 3421 ADOPTED ESTABLISHING TIF DISTRICT #14 (NEW CASTLE TOWNHOMES)**

The motion was made by Alderman Woll, seconded by Alderman Kuhle and unanimously carried to adopt the following resolution calling for a public hearing on approval of a project plan for housing development project area No. 3 in the City of Worthington, a housing program for housing development project area No. 3 in the City of Worthington and a tax increment financing plan for tax increment financing district No. 14 in the City of Worthington and establishing of housing development project area No. 3 and tax increment financing District No. 14

The motion was made by Alderman Woll, seconded by Alderman Kuhle and unanimously carried to adopt the following resolution to call for a public hearing for 7:00 p.m., Monday, October 12, 2010 in City Hall Council Chambers:

**RESOLUTION NO. 3421**

**CALLING FOR A PUBLIC HEARING ON APPROVAL OF A PROJECT PLAN FOR HOUSING DEVELOPMENT AREA NO. 3 IN THE CITY OF WORTHINGTON, A HOUSING PROGRAM FOR HOUSING DEVELOPMENT PROJECT AREA NO. 3 IN THE CITY OF WORTHINGTON AND A TAX INCREMENT FINANCING PLAN FOR TAX INCREMENT FINANCING PLAN FOR TAX INCREMENT FINANCING DISTRICT NO. 14 IN THE CITY OF WORTHINGTON**

AND ESTABLISHING OF HOUSING DEVELOPMENT PROJECT AREA NO. 3 AND TAX INCREMENT FINANCING DISTRICT NO. 14

(Refer to Resolution File for complete copy of Resolution)

**COUNCIL COMMITTEE REPORTS**

Mayor Oberloh - Noted that the Municipal Liquor Store will be closed on Friday from 10:00 a.m. - 12:30 p.m. so staff may attend the funeral for the former manager Shaun Johnson.

Alderman Ten Haken - Attended a joint City/County/School Board meeting on tax abatement and how it could be used as an economic development tool.

Alderman Kuhle - Attended a Chamber of Commerce/CVB Meeting with conversation being held on LGA cuts. The Chamber of Commerce would like to send support along with the City's resolution on the proposed LGA cuts. The Chamber of Commerce approved web site updates through IDEAS. The dates will be announced Friday for the Honor Flight. The good news is that there are too many vets interested in going on the first flight so a second flight will have to be scheduled.

Alderman Nelson - Attended the CGMC Legislative Day at the Capital on Wednesday with Craig, a very good learning experience.

Alderman Wood - Nothing to report.

Alderman Woll - Being a Liaison on the YMCA wondering if the fees for the Aquatic Center should be reevaluated for the in town and out of town fee, after being contacted by a person that lives outside of Worthington but children go to school in Worthington, and the person works in Worthington and the fact that the City tries to market Worthington as a regional hub, should there be a difference in the fee amounts.

**CITY ADMINISTRATOR REPORT**

Craig Clark, City Administrator, stated that he attended the CGMC Legislative Day and met with Representatives on the proposed LGA cuts and the effects that they will have on Greater Minnesota.

**ADJOURNMENT**

The motion was made by Alderman Kuhle, seconded by Alderman Woll and unanimously carried to adjourn the meeting at 7:54 p.m.

Mindy Eggers  
Assistant City Clerk